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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 REVERSE NOW VII, LLC,

11 Plaintiff,

12 v.

13 OREGON MUTUAL INSURANCE
14 COMPANY,

15 Defendant.

CASE NO. C16-209-MJP

ORDER GRANTING
DEFENDANT'S MOTION TO
COMPEL

16 THIS MATTER comes before the Court on Defendant Oregon Mutual Insurance
17 Company ("Oregon Mutual")'s Motion to Compel. (Dkt. No. 57.) Having reviewed the Motion,
18 the Response (Dkt. No. 67), the Reply (Dkt. No. 74), and all related papers, the Court GRANTS
19 the Motion. The Court declines to hear oral argument on the matter.

20 Oregon Mutual requests an order compelling Plaintiff to (1) produce all correspondence
21 with Paul Moreland and HMA Loss Consultants, LLC ("HMA") and all documents generated by
22 Mr. Moreland and HMA; and (2) provide a sufficiently detailed privilege log for those
23 documents that it seeks to withhold based on privilege. (Dkt. No. 57 at 1-2.)
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1 Plaintiff retained Mr. Moreland and HMA to serve as its insurance adjuster in its claim
2 against Oregon Mutual, and subsequently, as an expert in this litigation. (Dkt. No. 67 at 6; see
3 also Dkt. No. 49.) Based on Mr. Moreland's designation as an expert, Plaintiff has asserted work
4 product protection and privilege, and has refused to turn over certain documents it claims include
5 Mr. Moreland's opinions, analysis, or investigation. (Dkt. No. 57 at 3; Dkt. No. 67 at 10.)

6 Because Mr. Moreland serves as both a fact and expert witness, and because there are
7 allegations that he was not licensed as a public adjuster during the pendency of the insurance
8 proceedings in violation of RCW 48.30A.005, the Court ORDERS as follows:

- 9 (1) Plaintiff is ORDERED to produce all documents relating to Mr. Moreland/HMA
10 generated up until the date on which Mr. Moreland was retained as an expert;
11 (2) Plaintiff is ORDERED to provide a detailed privilege log and to submit for the
12 Court's in camera review all documents relating to Mr. Moreland/HMA
13 generated after the date on which Mr. Moreland was retained as an expert, and
14 over which Plaintiff asserts a claim of privilege;
15 (3) Plaintiff is ORDERED to comply within seven (7) days of the date of this Order.

16 The clerk is ordered to provide copies of this order to all counsel.

17 Dated May 17, 2018.

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20 Marsha J. Pechman
21 United States District Judge
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